

RELIEF OF INHABITANTS OF ASCENSION PARISH,
LOUISIANA.

[To accompany bill H. R. 538.]

DECEMBER 19, 1856.

Mr. SANDIDGE, from the Committee on Private Land Claims, made the following

REPORT.

The Committee on Private Land Claims, to whom was referred the bill for the relief of the inhabitants of the parish of Ascension, in Louisiana, made the following report:

Under the law of Congress passed in 1805, creating a board of commissioners to examine and report upon the private land claims in the Territory of Orleans, the commissioners (in their report presented to Congress in 1812, and published in the 2d volume of American State Papers, page 297, number 391,) state: "that Isidore Blanchard claims for the parish of Ascension a tract of land situated on the west side of the river Mississippi, containing four arpents one toise and four feet front, and 40 arpents in depth, and bounded on the upper side by lands of Wm. Conway, and on the lower by land of Jean Vessier. There is no written evidence of title to the land claimed; the church is built upon it, and it has been used as a glebe for a great number of years, and is claimed by the people of the parish as belonging to them for the use of the church. The board are of opinion it ought to be confirmed."

This board was authorized to make final adjudication of title as against the United States; failing to do that in any given case, they were required to make report for presentation to Congress, with an opinion thereon, as to the justness of the claim.

On the 3d March, 1811, Congress passed an act for the sale of public lands, with a *proviso* in the 6th section, "that till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land office, and filed in his office for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans." Under this proviso, the lot claimed by Isidore Blanchard as stated, and reported to Congress for confirmation, cannot be sold by the officers of the government until Congress shall

have acted thereon. And although the act of 12th April, 1814, confirming claims reported on favorably, has been construed as a confirmation of the one now in question, yet, as no certificate of its confirmation was issued by the register of the land office *prior* to the passage of the act of 26th May, 1844; and as he may not *now* have the right so to do, inasmuch as that act of 1844 declares that the lands embraced within its provisions, if not claimed by petition before the court created by it, within two years from the passage of the law, should be forfeited; and as the land can neither be surveyed and patented to claimants without such certificate from the register, nor sold by the government until action is had on the original application; and as it was the undoubted intention of Congress that all the claims thus reported upon favorably by said board should be confirmed; and as the lands in question have been used and recognized as glebe lands for more than 60 years, your committee are of opinion the same should be confirmed in accordance with the original report of the land commissioners and the plan of surveys in the approved maps on file in the office of the surveyor general of Louisiana.